REMARKS

Claims 1-32 are pending in the application. Claims 1, 2, 4, 10, 12, 13, 18, 20, 26-28 have been amended. Reconsideration of this application is respectfully requested.

The Office Action has objected to the specification on the basis that the title is non-descriptive. The title has been amended with a replacement title that is descriptive enough to be in compliance with the Rules of Practice.

The Office Action has also objected to the specification because the co-pending applications referenced at page 1 lack serial numbers. Page 1 has been amended to supply the serial numbers.

For the reasons set forth above, it is submitted that the amendment obviates the objections to the specification and, therefore, that the objections should be withdrawn.

The Office Action rejects claims 1, 2, 5, 10, 13, 18, 21, 26, 27 and 31 under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 5,546,538 to Cobbley et al., hereafter Cobbley.

Independent claims 1 and 26 have been amended to recite "an adaptive transfer policy that is dependent at least on a power state of said second computing device". Independent claims 10 and 18 have been amended to recite "determining a power state of said second computing device" and a transfer policy that at least depends on said determined power state".

In contrast, Cobbley's system does not have an adaptive transfer policy that is dependent on the power state of the second computing system or that determines the power state of the second computing device. Therefore, Cobbley lacks elements of amended independent claims 1, 10, 18 and 26.

For the reason set forth above, it is submitted that the rejection of claims 1, 2, 5, 10, 13, 18, 21, 26, 27 and 31 under 35 U.S.C. 102(b) as anticipated by Cobbley is obviated by the amendment and should be withdrawn.

The Office Action rejects claims 3, 4, 8, 11, 12, 16, 19, 20, 24 and 28 under 35 U.S.C 103(a) as unpatentable over Cobbley as applied to claim 1, and further in view of U.S. Patent No. 6,609,072 to Yamagata, hereafter Yamagata.

The Examiner admits that Cobbley fails to disclose a transfer policy that automatically extends the battery life of a second computing system. In fact, Cobbley is concerned with the input device 20 being in or out of communication range with server 41. Cobbley fails to teach a transfer policy that is dependent on the power state of the second computing device or that makes a determination of the power state of the second computing device as recited in amended independent claims 1, 10, 18 and 26 from which the rejected claims depend.

The Examiner alleges that "Yamagata teaches that a portable terminal device is prohibited for communicating if there is not enough battery remaining quantity (low power state) [col. 1, lines 29-46]". The Examiner concludes that it would have been obvious to one or ordinary skill in the art to combine the teachings of Cobble and Yamagata.

The claimed invention is unobvious over the suggested Cobbley/Yamagata combination as the suggested combination lacks the feature that the transfer policy is dependent at least on the power state of the second computing device.

In the claimed invention, the first computing device (e.g., handwriting input device) is sensitive to the power state of the second computing device, which is an entirely separate computing device. To demonstrate the distinction, the Cobbley/Yamagata combination achieves a handwriting input device that would not transmit handwriting data if it did not have enough power to complete the transmission.

10

This is an entirely reasonable result, but it is not what is claimed in the amended independent claims 1, 10, 18 and 26. To illustrate the difference, the claimed invention describes a situation in which the first computing device detects (e.g., asks the second computing device) how much power the second computing device has available; the second computing device then adapts (changes) its transmission policy based on the response. In contrast, the suggested Cobbley/Yamagata combination is concerned only about the power available to the first computing device itself. This is a subtle but very important difference, and would not be obvious to one of ordinary skill in the art, based on Cobbley or Yamagata, for at least the simple reason that servers (the second computing devices) are traditionally high powered computational resources (as implicit in Cobbley) that are not concerned with power management almost by definition.

Cobbley does describe an IDLE state for the second computing device (a server in Cobbley), but this is a processing idle state, when the first computing device (a tablet in Cobbley) is not trying to transmit to the server. The only situation that Cobbley describes in which the tablet would not transmit to the server is if the wireless link is not available (column 7, lines 36-50, column 10, lines 36-40). In this case, the handwriting data would be stored locally and not transmitted. When the wireless link is available, Cobbley's input device transmits the data. In contrast, in the claimed invention, even if a communication link is available, the tablet would choose to transmit or not based on the power state of the server (the second computing device), not with consideration for the tablet's own power state as taught by Yamagata. For these reasons, the claimed invention is unobvious in view of the Cobbley/Yamagata combination.

For the reasons set forth above, it is submitted that the rejection of claims 3, 4, 8, 11, 12, 16, 19, 20, 24 and 28 under 35 U.S.C. 103(a) is obviated by the amendment and should be withdrawn.

The Office Action rejects claims 6, 7, 9, 14, 15, 17, 22, 23, 25, 29, 30 and 32 under 35 U.S.C 103(a) as unpatentable over Cobbley in view of U.S Patent No. 5,294,792 to Lewis et al., hereafter Lewis.

These claims are dependent on amended independent claims 1, 10, 18 and 26. As noted above, Cobbley fails to teach a transfer policy that is dependent on the power state of the second computing device or that makes a determination of the power state of the second computing device as recited in amended independent claims 1, 10, 18 and 26. Lewis, which was cited to show a user selected setting based on stroke information, does not supply the transfer policy that is lacking in Cobbley.
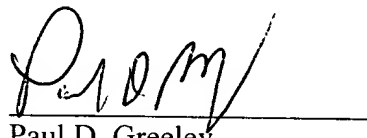
For the reasons set forth above, it is submitted that the rejection of claims 6, 7, 9, 14, 15, 17, 22, 23, 25, 29, 30 and 32 under 35 U.S.C. 103(a) is erroneous and should be withdrawn.

The Office Action cites a number of patents that were not applied in the rejections of the claims. These patents have been reviewed, but are believed to be inapplicable to the claims.

It is respectfully requested for the reasons set forth above that the objection to the specification be withdrawn, that the rejections under 35 U.S.C. 102(b) and 35 U.S.C. 103(a) be withdrawn, that claims 1-32 be allowed and that this application be passed to issue.

Respectfully Submitted,

Date: _i-18-05_

Paul D. Greeley
Reg. No. 31,019
Attorney for Applicants
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
(203) 327-4500